

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

PHH MORTGAGE CORPORATION,

Plaintiff,

V.

**CRYSTAL LIGHTFOOT aka CRYSTAL
NICHOLS, ERIC NICHOLS,
SPECIALIZED LOAN SERVICING, LLC,
5 ARCH FUNDING CORPORATION,
5 ARCH INCOME FUND 2, LLC, and
316 CAPITAL HOLDINGS, LLC,**

Defendants.

Civil Action No. 4:20-cv-2157

AGREED PARTIAL JUDGMENT

Came on to be considered the above-numbered and styled action wherein Plaintiff PHH Mortgage Corporation (“Plaintiff”) and Defendants Crystal Lightfoot aka Crystal Nichols and Eric Nichols (“Defendants” and together with Plaintiff the “Parties”), announced to the Court that they desire to resolve the matters in controversy between them. In light of the agreement of the Parties as expressed in this Agreed Order and as shown by their signatures below, it is:

ORDERED, ADJUDGED AND DECREED that the *Joint Motion for Entry of Agreed Partial Judgment* of the Parties is **GRANTED**. It is further,

ORDERED, ADJUDGED AND DECREED that that certain *Deed of Trust* (the “Security Instrument”), dated December 8, 2005, signed by Crystal Lightfoot and Eric Nichols and filed for record in the Official Public Records of Harris County, Texas under Instrument Number Y970313 on December 16, 2005, provides Deutsche Bank National Trust Company, as Trustee for Home Equity Mortgage Loan Asset-Backed Trust Series INABS 2006-A, Home Equity Mortgage Loan Asset-Backed Certificates Series INABS 2006-A, as the current owner of

the Note and mortgagee of the Security Instrument, in the event of a default on the obligations on the certain *Fixed/Adjustable Rate Note* (the “Note” and together with the Security Instrument, the “Loan Agreement”) in the original principal sum of \$203,425.00, originally payable to IndyMac Bank, F.S.B., a Federally Chartered Savings Bank, with a first lien security interest on that certain real property located at 18410 Mariner Place, Humble, Texas 77346, more particularly described as:

LOT SEVENTEEN (17), IN BLOCK FORTY-EIGHT (48),
WALDEN ON LAKE HOUSTON, CHAMPIONS VILLAGE,
PHASE V, A SUBDIVISION IN HARRIS COUNTY, TEXAS
ACCORDING TO THE MAP OR PLAT THEREOF RECORDED
IN VOLUME 324, PAGE 72 OF THE MAP RECORDS OF
HARRIS COUNTY, TEXAS.

It is further

ORDERED, ADJUDGED AND DECREED that Deutsche Bank National Trust Company, as Trustee for Home Equity Mortgage Loan Asset-Backed Trust Series INABS 2006-A, Home Equity Mortgage Loan Asset-Backed Certificates Series INABS 2006-A, is the current holder and owner of the Note and beneficiary of the Security Instrument. It is further

ORDERED, ADJUDGED AND DECREED that PHH services the Loan Agreement on behalf of Deutsche Bank National Trust Company, as Trustee for Home Equity Mortgage Loan Asset-Backed Trust Series INABS 2006-A, Home Equity Mortgage Loan Asset-Backed Certificates Series INABS 2006-A. It is further

ORDERED, ADJUDGED AND DECREED the Loan Agreement is valid and enforceable as provided in the Security Instrument and section 51.002 of the Texas Property Code. It is further,

ORDERED, ADJUDGED AND DECREED that all other claims in this proceeding by Plaintiff against Defendants Crystal Lightfoot aka Crystal Nichols and Eric Nichols, including

Plaintiff's claims for Judicial Foreclosure against these Defendants, are dismissed without prejudice. It is further,

ORDERED, ADJUDGED AND DECREED that all costs and attorney fees incurred with respect to PHH's claims against Defendants Crystal Lightfoot aka Crystal Nichols and Eric Nichols are taxed against the party incurring same.

Signed this _____ day of _____, 2020.

UNITED STATES DISTRICT JUDGE

AGREED TO

By: /s/ Mark D. Cronenwett

MARK D. CRONENWETT

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and

By: /s/ Eddison Sirguy Titus by Mark D. Cronenwett with permission

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